

W000891-040913 - FOIL Request**FOIL Request Details**

\$ 1.00

FOIL Request Details

MAY 06 2013

Type of Information Requested: Other

Subcategory:

Describe the document(s) you are requesting:

To Whom It May Concern: Pursuant to the New York State Freedom of Information Law (1977 N.Y. Laws ch. 933), I hereby request the following records: The written agreement between the City of Albany Police Department and the University at Albany's President in accordance with N.Y. EDUC. LAW § 355 (2) (I). I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage. In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires. If for any reason any portion of the request is denied, please indicate the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed. Sincerely, Christopher K. Philippo

Is this a Media Request?: Yes

Payment Information

Amount of Payment:

Date Payment Received:

- See attached

Denial Information

If Request Denied, Please Specify Why:

Message History

Date

On 4/9/2013 12:27:21 PM, wrote:
Request was created by customer**Request Details**

Reference No: W000891-040913
Create Date: 4/9/2013 12:27 PM
Update Date: 4/9/2013 2:14 PM
Completed/Closed: No
Required Completion Date: 5/7/2013

Status: New Request

Priority: Medium
Assigned Dept: Police Dept.
Assigned Staff: Mike Bintz

Customer Name: Requests MuckRock
Email Address: requests@muckrock.com
Phone: 617299

Source: Web

MEMORANDUM OF UNDERSTANDING

by and between

**City of Albany
and
The University at Albany**

Coordination of Law Enforcement Efforts

This Memorandum of Understanding, effective November 1, 2008, entered into by and between the City of Albany on behalf of its Police Department and the State University of New York, on behalf of the University at Albany, namely the University at Albany Police Department, sets out the respective duties and obligations with regard to the coordination of law enforcement efforts between the University at Albany Police Department and the City Police Department. The parties hereto agree as follows:

1. The State University of New York, University at Albany has primary law enforcement jurisdiction on all property owned, leased, or under the control of the University at Albany and will provide police services on said property, except as otherwise specified in this Memorandum of Understanding.
2. The University at Albany Police Department will notify the City Police Department of any incident or situation on any property owned, leased, or under the control of the University at Albany that may affect the safety of the residents of the City.
3. The City Police Department will notify the University at Albany Police Department of any incident or situation on any property within the jurisdiction of the Town that may affect the safety of the staff or residents on any property owned, leased, or under the control of the University at Albany.
4. When the City Police Department executes a warrant on any property owned, leased, or under the control of the University at Albany, the City Police Department will contact the University at Albany Police Department and request a University Police officer to accompany the City Police Department officer. Efforts will be taken to refrain from interrupting a class to affect an arrest or execute a search warrant. In the event of a continuous close pursuit beginning in the jurisdiction of the City, the City Police Department communications unit will notify the University Police Department as soon as possible and the University at Albany police Department will assist as necessary.

5. When the University at Albany Police Department executes a warrant within the City, excluding any property owned, leased, or under the control of the University at Albany, the University at Albany Police Department will contact the City Police Department and request a City Police Department officer. In the event of a continuous pursuit, the University at Albany Police Department communications unit will notify the City Police Department as soon as possible and the University at Albany Police Department officer will proceed as necessary.
6. The University at Albany Police Department will transfer requests for police services originating on any property owned, leased, or under the control of the City to the City Police Department communications center. In like manner, the City Police Department will transfer requests for police services originating on any property owned, leased, or under the control of the University at Albany to the University at Albany Police Department communications center.
7. For emergency situations, including requests for backup, within the jurisdiction of the City, the City Police Department supervisor or officer-in-charge may request the assistance of University at Albany Police Department personnel. The University at Albany Police Department supervisor or officer-in-charge must grant permission to the responding patrol unit(s) before such assistance is rendered. In like manner, for emergency situations, including requests for backup, within the jurisdiction of the University at Albany, the University at Albany Police Department supervisor or officer-in-charge will request the assistance through the City Police Department supervisor.
8. For non-emergency events in both communities, the Chiefs or designees from the City of Albany and the University at Albany Police Departments will meet in a timely manner to review various operations issues, including traffic, planning, and scheduling for additional personnel.
9. In accordance with Chapter 22 of the Laws of 1999 of the State of New York, which establishes certain requirements for investigation of violent felonies and reporting of missing students on college campuses in New York State, the parties acknowledge the statutory definitions and agree to the protocol for response and investigation as follows:

Definitions:

- a. "Missing Student", means any student of the University at Albany subject to the provisions of Section 355(17) of the New York State Education Law, who resides in a facility owned or operated by the University at Albany and who is reported to the University at Albany as missing from his or her residence.
- b. "Violent Felony Offense" means a violent felony offense as defined in Section 70.02(1) of the Penal Law of the State of New York.

Response and Investigation:

- a. Missing Student. When a report of a missing student is received by the University at Albany Police Department or the City Police Department, the receiving department will conduct a preliminary investigation in order to verify the complaint and to determine the circumstances which exist relating to the reported missing student. If the student's absence is verified, the incident will be reported and shared between departments. If the missing student was last seen on property owned, leased, or under the control of the University at Albany at Albany Campus, the University at Albany Police Department shall take the lead in the investigation; if the missing student was last seen in the City of Albany on property not under the control of the University at Albany Police Department, the City Police Department shall take the lead in the investigation; in all circumstances the University at Albany Police Department and the City Police Department shall cooperate with one another and any other law enforcement agency involved in the investigation. In any event, information relating to any report of a missing student shall be shared by both parties no later than twelve (12) hours from the time of the initial report. If the missing student is located or returns to the University at Albany at any time after the matter has been reported, each party shall notify the other immediately.
 - b. Violent Felony Offenses. When any report of an on-campus violent felony offense is received by the University at Albany or when a report of a violent offense involving a college student is received by the City Police Department, the recipient shall notify the other police department as soon as possible. If the offense occurred on property owned, leased, or under the control of the University at Albany, the University at Albany Police Department shall take the lead in the investigation; if the offense occurred in the City of Albany on property not under the control of the University at Albany Police Department, the City Police Department shall take the lead in the investigation; in all circumstances the University at Albany Police Department and the City Police Department shall cooperate with one another and any other law enforcement agency involved in the investigation.
10. The Chief of the University at Albany Police Department and the Chief of the City of Albany Police Department may enter into more specific and detailed operational procedures and guidelines, provided that such additional items are not inconsistent with the above provisions.
 11. This Memorandum of Understanding may be amended, consistent with then current law, in writing, by mutual consent of both parties.